



Attorney Docket No.: DVME-1003USDIV4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Suyker et al.) Group Art Unit: 3734
)
U.S. Patent Application No. 10/805,714) Examiner: Michael T. Andersen
)
)
Filing Date: March 22, 2004) Confirmation No.: 9243
)
Title: Mechanical Anastomosis System)
For Hollow Structures)

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

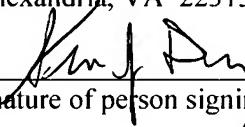
Sir:

Petitioner ("Assignee"), Innovative Interventional Technologies B.V., having a business address of Singel 208-F, 1016 AA Amsterdam, The Netherlands, represents, through its attorney, that it is the Assignee of the entire right, title, and interest in and to the above-identified application, U.S. Patent Application No. 10/805,714, filed on March 22, 2004, for "Mechanical Anastomosis System for Hollow Structures," in the name of Suyker et al., by virtue of an assignment recorded on May 27, 2003, at Reel 014090/Frame 0873. Evidentiary documents have been reviewed and the Assignee certifies, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to file this Terminal Disclaimer.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I certify that this document, along with any document referred to as being attached, is being deposited with the U.S. Postal Service as first class mail on July 14, 2007, under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kevin J. Dunleavy
Name of person signing document


Signature of person signing document

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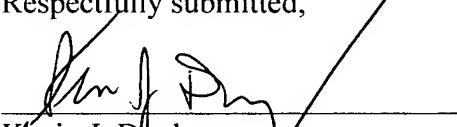
Assignee, Innovative Interventional Technologies B.V., hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent granted on the above-identified application, U.S. Patent Application No. 10/805,714, which would extend beyond the earliest of the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of United States Patent No. 6,485,496. Assignee hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,485,496.

Assignee does not disclaim the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of United States Patent No. 6,485,496 in the event such patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole under 35 U.S.C. §253 and 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for separation of legal title as stated above.

This agreement runs with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

Assignee claims small entity status. In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee payment of \$65.00 is enclosed. If there is any other fee due in connection with the filing of this Terminal Disclaimer, please charge the required fee to our Deposit Account No. 50-0462.

Respectfully submitted,



Kevin J. Dunleavy
Registration No. 32,024

Dated: July 14, 2007

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